

REMARKS/ARGUMENTS

This response is submitted in reply to the Office Action dated February 26, 2010. Claims 1-35 currently stand rejected. As explained below, however, Applicants respectfully submit that the claimed invention is directed to statutory subject matter and patentably distinct from the cited references, taken individually or in any proper combination. Nonetheless, Applicants have amended various ones of the claims to further clarify the claimed invention. Claim 19 has been cancelled rendering the rejection of claim 19 moot. No new matter has been added by the amendment.

In view of the amendments to the claims and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

A. The Objections to Claims 2, 3, 6-10, 18, and 20-35 are Overcome.

Claims 2, 3, 6-10, 18, and 20-35 are objected to for various informalities. Applicants have addressed the objections via responsive amendments to the claims as indicated in the Amendments to the Claims section of this response. Accordingly, the objections to the claims are overcome.

B. Provisional Double Patenting with respect to Claim 1.

The Office Action provisionally rejects Claim 1 under the doctrine of obviousness-type double patenting in view of Application No. 10/574,727 (hereinafter "the '727 application"). Applicants have noted the provisional rejection and respectfully request the rejection be reconsidered in view of the amendments to claim 1 or held in abeyance until such time that the present application or the '727 application issues as a patent.

C. Claims 18 and 20-35 are Directed to Statutory Subject Matter.

Claims 18 and 20-35 currently stand rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. In particular, the Office Action indicates that claims 18 and 20-35 are not tied to a machine or transformative. In response, Applicants have amended independent claims 18 to recite that accessing the extensible framework is performed "via a

computing device.” As such, independent claim 18, and its respective dependent claims include subject matter that is not post-solution or pre-solution in nature and is expressly tied to a machine. Accordingly, the rejection of claims 18 and 20-35 is overcome.

D. Claims 1-8, 10, 18, 21-27, and 29 are Novel.

Claims 1-8, 10, 18, 21-27, and 29 currently stand rejected under 35 U.S.C. § 102(b) as being anticipated by WO 03/014971 to Langer. However, Langer fails to anticipate the claimed invention because Langer does not teach each and every feature of the claimed invention.

Independent claim 1, and similarly independent claim 18, recite “wherein the device is further programmed with a generic data supplier application programming interface (API) ... wherein said generic data supplier API configures the device to access data from at least one data source and decouple said parsers or generators from said at least one data source.” Langer fails to teach or suggest this feature of the independent claims.

Langer is cited for its alleged general disclosure of the use of plug-ins and more specifically to different plug-ins for different parsers, protocols, and query languages. (Langer page 4, line 6-10.) Further, Langer describes, at page 6 lines 24 to 29, that Web Agents may be used to enable interaction with different websites for parsing. Java API for XML and a SAX parser are mentioned. However, Langer fails to teach or suggest any subject matter that could be correlated to the generic data supplier API that provides for accessing data and decoupling parsers or generators from the data, as recited in the claims.

As such, Langer fails to teach or suggest all of the features of the independent claims, and therefore the independent claims and their respective dependent claims are patentable over Langer. The rejection of claims 1-8, 10, 18, 21-27, and 29 is therefore overcome.

E. Claims 11-13, 15-17, 20, 30-32, and 34-35 are Nonobvious.

Claims 11-13, 15-17, 20, 30-32, and 34-35 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Langer in view of U.S. Patent Publication No. 2003/0172348 to Fry. However, the cited combination relies upon Langer for disclosing the same features as described above with respect to the anticipation rejection. Since Langer fails in this regard, and Fry does not cure the deficiencies of Langer (nor is Fry cited for this purpose), dependent claims

11-13, 15-17, 20, 30-32, and 34-35 are patentable over the cited combination due at least to the failures of Langer. The rejections of claims 11-13, 15-17, 20, 30-32, and 34-35 are therefore overcome.

F. Claims 14 and 33 are Nonobvious.

Claims 14 and 33 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Langer and Fry, in further view of U.S. Patent Publication No. 2003/0237050 to Davidov. However, the cited combination relies upon Langer for disclosing the same features as described above with respect to the anticipation rejection. Since Langer fails in this regard, and Fry and Davidov do not cure the deficiencies of Langer (nor are Fry and Davidov cited for this purpose), dependent claims 14 and 33 are patentable over the cited combination due at least to the failures of Langer. The rejections of claims 14 and 33 are therefore overcome.

G. Claims 9 and 28 are Nonobvious.

Claims 9 and 28 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Langer in view of U.S. Patent No. 6,813,637 to Cable. However, the cited combination relies upon Langer for disclosing the same features as described above with respect to the anticipation rejection. Since Langer fails in this regard, and Cable does not cure the deficiencies of Langer (nor is Cable cited for this purpose), dependent claims 9 and 28 are patentable over the cited combination due at least to the failures of Langer. The rejections of claims 9 and 28 are therefore overcome.

CONCLUSION

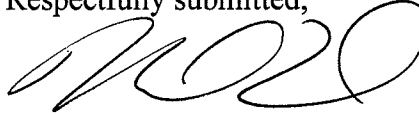
In view of the amendments and remarks presented above, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper.

Appl. No.: 10/574,728
Amdt. dated 06/25/2010
Reply to Office Action of 02/26/2010

However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Nathaniel T. Quirk
Registration No. 60,676

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON JUNE 25, 2010.